

1 **State Of Alaska**  
2 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**  
3 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**  
4 **BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS**

5  
6 **Minutes of Meeting**  
7 **February 2-3, 2018**  
8

9 **The staff of the Division of Corporations, Business and Professional Licensing**  
10 **prepared these draft minutes. They have not been reviewed or approved by the**  
11 **Board.**

12  
13 By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS  
14 44.64, Article 6, a scheduled board meeting was held at 333 Willoughby Ave. Juneau,  
15 Alaska.

16  
17 Thursday, February 1, 2018  
18

19 Agenda Item 1 - Call to order and Roll call

20 Board Chair Al Levy called the meeting to order at 8:34 am.

21  
22 Those present, constituting a quorum of the Board:

23  
24 Deborah Gideon, Psychologist  
25 Joel Wieman, Psychologist  
26 Al Levy, Psychological Associate  
27 Sarah Angstman, Psychologist  
28 Suzanne Dutson, Public Member  
29

30 In attendance from the Department of Commerce, Community and Economic  
31 Development, Division of Corporations, Business and Professional Licensing were:

32  
33 Renee Hoffard, Records & Licensing Supervisor  
34 Chase Parkey, Records & Licensing Supervisor  
35 Rissa Teske, Licensing Examiner  
36 Nina Akers, Investigator via teleconference  
37 Sara Chambers, Deputy Director  
38

39 Shirley Marquardt, Director of Boards and Commissions via telephone  
40

41 Members of the public in attendance: Ian Niecko 1:00 pm in person, Dr. Jana Zeedyk  
42 1:00 pm via teleconference, Kristy Fuller 1:12 pm via teleconference.  
43

44 Agenda Item 2 - Review & Approve Agenda

45 The board reviewed the draft agenda of the meeting. Chair Levy suggested that the  
46 board add discussion regarding regulations to agenda item 11, Old Business.  
47

48 **UPON A MOTION MADE BY SUZANNE DUTSON; SECONDED BY DEBORAH**  
49 **GIDEON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE**  
50 **AGENDA AS AMENDED.**

51 Agenda Item 3 - Ethics Report

52 There were no ethics disclosures from the board.

53  
54

55 Agenda Item 4 - Review & Approve Meeting Minutes

56

57 The board reviewed draft minutes of the November 2017 board meeting; the board  
58 noted spelling errors. Discussion about regulation change specifics from the previous  
59 meeting.

60

61 **UPON A MOTION MADE BY JOEL WIEMAN; SECONDED BY SUZANNE DUTSON**  
62 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE NOVEMBER**  
63 **2017 BOARD MEETING MINUTES AS AMENDED.**

64 Agenda Item 5 - Exam Scoring and Review

65

66 **UPON A MOTION MADE BY DEBORAH GIDEON; SECONDED BY SUZANNE**  
67 **DUTSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ENTER INTO**  
68 **EXECUTIVE SESSION IN ACCORDANCE WITH AS 44.62.310(C), AND ALASKA**  
69 **CONSTITUTIONAL RIGHT TO PRIVACY PROVISIONS FOR THE PURPOSE OF**  
70 **DICUSSING MATTERS WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCE ARE**  
71 **REQUIRED TO BE CONFIDENTIAL. BOARD STAFF RENEE HOFFARD, CHASE**  
72 **PARKEY, AND RISSA TESKE TO REMAIN IN THE ROOM.**

73

74 **OFF RECORD AT 8:58 AM**

75 **BACK ON RECORD AT 9:58 AM**

76

77 Break at 9:58 am

78 Return at 10:07am

79

80 Agenda Item 6 - FARB Presentation

81

82 Records and Licensing Supervisor Hoffard, provided information to the board  
83 members regarding the FARB conference she attended in January, 2018. She shared  
84 with the board information on active market participants, creating opportunities for  
85 competition, and interstate communications and collaborations. She spoke about  
86 board structure, that many states are going to composite boards by executive order  
87 from their governors, and there was talk at the conference of going to federalized  
88 boards. The board discussed the North Carolina Dental board court case and how that  
89 case effects regulatory boards in regards to board supervision. Board Member Gideon  
90 asked how board members could make regulation changes as active market  
91 participants. Discussion about the process of writing regulation changes.

92

93 Agenda Item 7 - Investigative Report

94

95 Investigator Akers, reviewed the investigative report telephonically with the board. For  
96 the period of October 25, 2017 - January 22, 2018, the division closed 1 matter;  
97 opened 0 matters; the program has 2 open investigations. She explained that the next  
98 time she runs a board report it will look a little different as they will no longer be  
99 differentiating between intake cases and open cases, it will just be open cases and  
100 closed cases. She also explained that she is gathering information for a tool/guideline  
101 to give to the board to aid in disciplinary actions if it is decided there is a violation.

102

103 Break at 10:35 am  
104 Return at 10:38 am

105  
106  
107  
108

Agenda Item 8 - Division Update

109 Deputy Director Chambers, joined the meeting in person to provide the division  
110 update. She reviewed the FY18 first quarter fiscal report with the board. Chair Levy  
111 wants to discuss travel requests on the record for the mid-year meeting in April, and  
112 request for as many board members to attend. Chair Levy makes a request that Board  
113 Members Gideon, Dutson, himself, and new Licensing Examiner Teske are able to  
114 attend. There is a discussion about writing travel requests, understanding “optics” of  
115 a particular meeting and how to overcome negative optics, and identifying and  
116 applying early for third party reimbursement in the form of scholarship to offset costs.  
117 Chair Levy asks about Board Member Angstman temporarily relocating out of the state  
118 for family reasons and being able to keep her as a board member. He states that she  
119 will maintain her Alaska license and the cost of traveling from where she will be on the  
120 west coast is roughly equivalent to what the cost is to fly her in from Bethel. Deputy  
121 Director Chambers says she is unaware of any board that has a statute that says that  
122 someone has to be a resident of Alaska to be on the board, and she will be happy to  
123 advocate for Board Member Angstman staying on the board. Deputy Director  
124 Chambers gives an update on the board extension bill. Chair Levy shares that he has a  
125 meeting today at 2pm with Representative Kito about the extension bill.

126  
127  
128  
129

Lunch break at 11:03 pm  
Return from lunch at 1:00 pm

Agenda Item 9 - Public Comment

130

131  
132 Dr. Jana Zeedyk on the phone in for public comment, and public member Ian Niecko is  
133 present in the room.

134 At 1:01 pm Dr. Zeedyk, for the Alaska Psychological Association (AKPA) board, has  
135 questions for the board about reciprocity. AKPA board would like to know how the  
136 board decided to pursue telephone privileges for psychologists outside of Alaska to be  
137 able to provide telehealth for the Psychology Interjurisdictional Compact (PSYPACT).  
138 How the board elected not to pursue reciprocity by the CPQ (Certificate of Professional  
139 Qualification) for psychologists who wanted to experience reciprocity moving into the  
140 state and being fully licensed. Chair Levy explains that public comment is for  
141 testimony only, and asks Dr. Zeedyk to submit her questions in the form of a letter or  
142 an email to the licensing examiner and then the board can decide how to respond. At  
143 1:12 pm Kristy Fuller, neuropsychologist in Anchorage, gives public comment via  
144 teleconference. She understands that there has been some discussion about the  
145 practice of neuropsychology by individuals that don't have the training or competence  
146 to do that. She believes that there isn't anything that the board can act on unless  
147 someone specifically complains this is occurring. It would be helpful if AKPA and the  
148 board could be onboard with addressing it. She feels that the problem can be  
149 addressed potentially through bringing the concerns to insurers. At 1:18 pm Ian  
150 Niecko, present in the room, introduces himself and states that he wishes to sit  
151 through the process of reviewing his application so that he can any answer questions.  
152 He is seeking a temporary LPA license even though he's finishing a doctoral program  
153 because he doesn't have a masters in psychology. Will have finished his doctoral  
154 program in 8 weeks. He shares that it's very difficult to get supervision in Juneau,  
155 spoke with the last examiner about the possibility of getting supervision through video

156 during an internship. Originally found someone in Sitka to provide supervision, but he  
157 has now found someone in Juneau who is happy to provide supervision.

158  
159 Agenda Item 10 - Application/CEU Review

160  
161 The board reviewed applications for licensure. (2 applications, 1 CE audit, and 1  
162 extension request)

163  
164 Break at 1:56 pm  
165 Return at 2:38 pm

166  
167 Chair Levy shares information about his meeting with Representative Kito. He says  
168 they spoke about the sunset audit, changing of licensing statuses, and background  
169 check legislation. Chair Levy stated that Representative Kito said he would talk to the  
170 Department of Commerce about their perspective on the benefit of some kind of  
171 general authority being given to the Department of Commerce and then each  
172 individual board can create its own regulations as to what degree they want to do  
173 background checks.

174  
175 **UPON A MOTION MADE BY SUZANNE DUTSON; SECONDED BY SARAH**  
176 **ANGSTMAN AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ENTER INTO**  
177 **EXECUTIVE SESSION IN ACCORDANCE WITH AS 44.62.310(C), AND ALASKA**  
178 **CONSTITUTIONAL RIGHT TO PRIVACY PROVISIONS FOR THE PURPOSE OF**  
179 **DISCUSSING MATTERS INVOLVING CONSIDERATION OF GOVERNMENT RECORDS**  
180 **THAT BY LAW ARE NOT SUBJECT TO PUBLIC DISCLOSURE. BOARD STAFF RENEE**  
181 **HOFFARD, RISSA TESKE, AND CHASE PARKEY TO REMAIN IN THE ROOM.**

182  
183 **OFF RECORD AT 2:46 PM**  
184 **BACK ON RECORD AT 3:21 PM**

185  
186 **UPON A MOTION MADE BY SUZANNE DUTSON; SECONDED BY SARAH**  
187 **ANGSTMAN AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE**  
188 **FOLLOWING APPLICATIONS AND CONTINUING EDUCATION AUDITS WITH THE**  
189 **STIPULATION THAT THE INFORMATION IN THE APPLICANT FILES TAKE**  
190 **PRECEDENCE OVER THE MINUTES OF THIS MEETING.**  
191 **DOUGLAS CARPENTER - TEMPORARY LICENSE EXTENSION**  
192 **SANDRA MITCHELL - CEU AUDIT**  
193 **IAN NIECKO - PSYCHOLOGIST ASSOCIATE BY EXAM TEMPORARY LICENSE**

194  
195 **THE FOLLOWING APPLICATION HAS BEEN DENIED UNDER 12 AAC 60.083(A)(4)(H)**  
196 **JACQUELINE WILLIAMS - PSYCHOLOGIST BY EXAM TEMPORARY LICENSE**

197  
198 **ROLL CALL VOTE**  
199 **JOEL WIEMAN - YEA**  
200 **DEBORAH GIDEON - YEA**  
201 **SARAH ANGSTMAN - YES**  
202 **SUZANNE DUTSON - YES**  
203 **AL LEVY, CHAIR - IN FAVOR OF THE MOTION**

204  
205 Board member Gideon asks how they address the public testimony from today. Chair  
206 Levy states that for the comments from AKPA they will wait to hear something from  
207 Dr. Zeedyk, if her email arrives on time they will consider the email in correspondence  
208 tomorrow. In regard to Dr. Fuller's testimony, Chair Levy stated that he agreed with

209 her about neuropsychology not being a board issue, and any action about dealing with  
210 neuropsychology in the way it's practiced right now needs to be dealt with at the  
211 market level. There was a disagreement between Chair Levy, and Board Members  
212 Gideon and Wieman as to what Dr. Fuller's testimony was about. Board members  
213 Wieman and Gideon were asked to send an email to Dr. Fuller, asking for clarification  
214 and recommendation for board action and it will be taken up in correspondence in the  
215 next meeting.

216  
217 The board recessed at 3:26 pm until 9:00 am Friday, February 2, 2018.

218  
219 *FRIDAY, February 2, 2018*

220  
221 Board Chair Al Levy called the meeting to order at 9:02 am.

222  
223 Those present, constituting a quorum of the Board:

224  
225 Deborah Gideon, Psychologist  
226 Joel Wieman, Psychologist  
227 Al Levy, Psychological Associate  
228 Sarah Angstman, Psychologist  
229 Suzanne Dutson, Public Member

230  
231 In attendance from the Department of Commerce, Community and Economic  
232 Development, Division of Corporations, Business and Professional Licensing were:

233  
234 Renee Hoffard, Records & Licensing Supervisor  
235 Chace Parkey, Records & Licensing Supervisor  
236 Rissa Teske, Licensing Examiner  
237 Sara Chambers, Deputy Director

238  
239 Shirley Marquardt, Director of boards and Commissions via telephone

240  
241 **UPON A MOTION MADE BY SUZANNE DUTSON; SECONDED BY SARAH**  
242 **ANGSTMAN AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE**  
243 **AGENDA TO ALLOW DEPUTY DIRECTOR SARA CHAMBERS TO ADDRESS THE**  
244 **BOARD AFTER AGENDA ITEM 11.**

245 *Agenda Item 11 - Correspondence*

246 Shirley Marquardt, Director of Boards and Commissions joined via telephone.

247  
248 The board reviewed and discussed the questions from AKPA which Dr. Jana Zeedyk  
249 emailed to Examiner Teske this morning. The board discussed that there is no current  
250 legislation pending for PSYPACT. It's a matter under discussion by the board, they  
251 have not made a formal decision to pursue it. The board agreed that addressing CPQ  
252 is not currently on their task list, however they are open to opinions and input by  
253 AKPA on this issue. The board was not prepared to answer question number two from  
254 Dr. Zeedyk, this question pertained to the background check legislation. Question  
255 number three regarding establishing other licensing categories, the board answered  
256 that yes, they are considering the categories "retired" and "inactive" and they are open  
257 to suggestions and input from AKPA.

258 Correspondence dealing with distant supervision, letter from Aleutian Pribilof Islands  
259 Association (APIA). The board discussed if there was a difference between providing

260 clinical services to a patient through telemedicine and providing supervision to a  
261 supervisee by telemedicine. The board agreed that there was a difference, specifically  
262 in heightened responsibility to the supervisor. The board discussed and agreed that  
263 they feel the statutes for telehealth and therapy do not apply when it comes to  
264 supervision, as supervision and therapy are not the same. Physical presence of the  
265 supervisor to be ready to address the needs of the clients in conjunction with the care  
266 being provided by the intern is important. Board Member Angstman states that they  
267 need to make it known that the board recognizes that changing definitions of face-to-  
268 face around health care delivery have created a lack of clarity about the intent of our  
269 regulations and the board is working to address that. Board Member Dutson suggests  
270 eliminating using the term “telehealth” when referring to clinical supervision because  
271 it’s not “telehealth” it’s training, they are very different. The board agrees that  
272 telehealth is providing therapy, and supervision is providing training. Chair Levy  
273 states that there is a lot more involved in the training particularly supervision of  
274 clinical practice, and is far more complex than can adequately be done by an internet  
275 link. The board discusses adding regulations to clarify the meaning of “face-to-face”.  
276 Records and Licensing Supervisor Hoffard suggests adding to the regulation which  
277 defines appropriate supervision, 12 AAC 60.990(2), as there is an open regulations  
278 project that this could be added to.  
279 Chair Levy shared that he sent an email to Dr. Kristy Fuller asking for clarification on  
280 her testimony yesterday, he reads her response. In her email Dr. Fuller states she is  
281 bothered by what she feels is inappropriate billing practices of some self-proclaimed  
282 “neuropsychologists” who practice and bill outside of their training and basic  
283 competence. Chair Levy states they will have an opportunity to discuss the issues  
284 brought up in her email when Deputy Director Chambers joins the meeting, as she will  
285 help clarify the board’s scope of authority.

286  
287 Agenda Item 12 - Old Business

288 Board Member Dutson gives an update on her progress in updating the licensing  
289 statuses. She wants to include something that referenced retirement from clinical  
290 practice but still actively licensed and able to conduct research, and suggests the term  
291 “emeritus”. She also suggests a “transitional” license for when you have an LPA and  
292 you’re working on your full psychologist license. The board discusses using the term  
293 “sabbatical”, as well as using the term “upgraded” for when you’re working on going  
294 from LPA to Ph.D. The board finds a problem with negative connotation that comes  
295 with terms like “inactive” and “lapsed”. Records and Licensing Supervisor Hoffard  
296 clarifies that the current terms for licensure are: active, lapsed, and expired, there is  
297 no “inactive” status. The board agrees that using the term “upgraded” for a person  
298 who goes from an LPA to a full psychologist license would help eliminate confusion  
299 when viewing the status of the LPA license. Board Member Wieman suggest that for  
300 using the term “sabbatical” you would have to let the department know what you’re up  
301 to and planning to come back. Board Member Dutson states that she’s almost done  
302 with the project and will have it ready for the next meeting. Chair Levy suggests that  
303 per his meeting with Representative Kito yesterday, that once they’re done they draft a  
304 letter to the other three mental health boards to show them what they’ve done and to  
305 ask them if they’d like to join in an omnibus bill.

306  
307  
308 Break at 10:01 am  
309 Return at 10:06 am

310  
311 Deputy Director Chambers, joins the meeting per the request of Chair Levy to help add  
312 more information as there was a difference of opinion yesterday regarding the board’s

313 authority to create new licensure or standards regarding the practice of  
314 neuropsychology. She discusses what the board can currently do, and what the board  
315 can't do, how the board might be able to do that in the future. She gives the board  
316 information on their current ability to deal with people who may be practicing outside  
317 of their training. Under AS 08.86.204 the board has disciplinary authority if someone  
318 is practicing after becoming unfit due to professional incompetence. The process she  
319 gives an example is filing a complaint with investigations, the investigator would  
320 gather information about the complaint and request a board member to serve as an  
321 advisor on that case, that board member would work with the investigator to  
322 determine if the person meets the standard of professional incompetence and to  
323 determine if these are things the board has the authority to discipline or are there  
324 criminal issues that they need to loop other agencies in on. The board member would  
325 advise the investigator on a pathway and it would come before the board with a  
326 proposed action. Deputy Director Chambers discusses the meaning of professional  
327 incompetence as defined in 12 AAC 60.990(a)(3) and "to practice psychology" as  
328 defined in and AS 08.86.230(6), and it would take statute change to create new  
329 licenses. Board Member Gideon speaks about Dr. Fuller's email and asks how to  
330 proceed with her concerns. Deputy Director Chambers states that either a complaint  
331 can be reported to the division, or the board can undertake a regulations project to  
332 define specialties along with their standards and education. There is a discussion  
333 about how to deal with the issue in a way that is the best use of the board's time and  
334 resources. Chair Levy adds that if someone wants the board to do this project, then he  
335 would like that person to take responsibility for the project, do the research, and  
336 present the information to the board for discussion. The board agrees that they  
337 already have the tools, standards, and guidelines in place should there be a complaint,  
338 and there is no need to spend the time to go through with all the legislative changes.

339

340 Break at 10:48 am

341 Return at 11:00 am

342

343 Regulation project discussion.

344

345 **UPON A MOTION MADE BY SARAH ANGSTMAN; SECONDED BY SUZANNE**  
346 **DUTSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO PROPOSE THE**  
347 **FOLLOWING AMENDMENTS TO REGULATION:**

348

349 **ADD 12 AAC 60.260(c) effective \_\_\_\_\_ each psychologist or psychological**  
350 **associate seeking license renewal shall obtain and document for each renewal cycle**  
351 **a total of three (3) contact hours in cross-cultural education specific to Alaskan**  
352 **issues such as geographic challenges to service delivery in Alaska, Alaska Native**  
353 **culture, or the multi ethnic nature of Alaska's population.**

354

355 **ADD 12 AAC 60.990(2)(C) Supervision provided via a face-to-face meeting between**  
356 **supervisor and supervisee conducted in person as opposed to a meeting conducted**  
357 **at a distance through technology.**

358

359 **.....**  
359 **UPON A MOTION MADE BY DEBORAH GIDEION; SECONDED BY SUZANNE**  
360 **DUTSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE**  
361 **AGENDA TO COME BACK FROM LUNCH AT 1:00PM TO MAKE BEST USE OF THE**  
362 **BOARD'S TIME.**

363

364 Agenda Item 13 - Administrative Business

365

366 The board discussed the next meeting dates; May 3-4, 2018, in Anchorage with the  
367 exam on April 20, 2018; the following meeting will be scheduled for August 2-3, 2018,  
368 in Anchorage, with exam on July 20, 2018. ASPPB's annual conference is April 16-17,  
369 2018, in Savannah, GA; travel requests for all board members should be submitted.  
370 The board signs meeting minutes and wall certificate.

371  
372 Lunch at 11:33 am  
373 Return at 1:00 pm  
374

375 Agenda Item 14 - Executive Session - Draft of Exam Questions

376 Chair Levy reminded the board that during this work session the goal is to have two (2)  
377 useful new questions for the exam.  
378

379 **UPON A MOTION MADE BY DEBORAH GIDEON; SECONDED BY SUZANNE**  
380 **DUTSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ENTER INTO**  
381 **EXECUTIVE SESSION IN ACCORDANCE WITH AS 44.62.310(C), AND ALASKA**  
382 **CONSTITUTIONAL RIGHT TO PRIVACY PROVISIONS FOR THE PUPOSE OF**  
383 **DICUSSING MATTERS INVOLVING CONSIDERATION OF GOVERNMENT RECORDS**  
384 **THAT BY LAW ARE NOT SUBJECT TO PUBLIC DISCLOSURE. BOARD STAFF RENEE**  
385 **HOFFARD, SARA CHAMBERS, RISSA TESKE, AND CHASE PARKEY TO REMAIN IN**  
386 **THE ROOM.**

387  
388 **OFF RECORD AT 1:04 PM**  
389 **BACK ON RECORD AT 3:20 PM**  
390

391 During the work session the board got 6 questions close to being finished, they have  
392 enough questions for the state law and ethics exam that will be given in April.  
393

394 **UPON A MOTION MADE BY SUZANNE DUTSON; SECONDED BY JOEL WIEMAN**  
395 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ADJOURN THE MEETING.**

396 Chair Levy adjourned the meeting at 3:20 pm  
397 Off the record at 3:20 pm  
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Respectfully Submitted:

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Rissa Teske, Licensing Examiner

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Approved:

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Board Chair, Al Levy

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Date: -----

415